

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Cancer Treatment Methods Using Antibodies to Aminophospholipids**, the Specification of which:

☐ is attached hereto.
☒ was filed on **July 12, 1999** as Application Serial No. **09/351,543**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate, PCT international application(s), and United States provisional application(s), listed below and have also identified below any foreign application for patent or inventor's certificate, PCT international application, or United States provisional application, having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
60/092,672	USA	July 13, 1998	Yes
(Number)	(Country)	(Date Filed)	Yes/No
60/110,608	USA	December 2, 1998	Yes
(Number)	(Country)	(Date Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A		
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Shelley P.M. Fussey, Williams, Morgan & Amerson, P.C., 7676 Hillmont, Suite 250, Houston, Texas 77040, (713) 934-7000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 id Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name:	Philip	E.	Thorpe
Inventor's Signature:	<i>Philip Thorpe</i>		
Country of Citizenship:	<i>United Kingdom</i>	Date:	<i>9/3/99</i>
Residence Address: (street, number, city, state, and/or country)	6722 Lakewood Boulevard, Dallas, Texas 75214		
Post Office Address: (if different from above)			

Inventor's Full Name:	Sophia		Ran
Inventor's Signature:	<i>Sophia K</i>		
Country of Citizenship:	<i>Israel</i>	Date:	<i>9/3/99</i>
Residence Address: (street, number, city, state, and/or country)	5840 Spring Valley Road, #1612, Dallas, Texas 75240		
Post Office Address: (if different from above)			

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Philip E. Thorpe and Sophia Ran

Serial No.: 09/351,543

Filed: July 12, 1999

For: CANCER TREATMENT METHODS
USING ANTIBODIES TO
AMINOPHOSPHOLIPIDS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: 4001.002200

DECLARATION CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§ 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Board of Regents, The University of Texas System

Address of Organization: 201 West 7th Street
Austin, Texas 78701

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

I hereby declare that exclusive rights to the invention have been conveyed to and remain with the organization, with respect to the above-referenced invention, nor have I assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any

concern which would not qualify as a small business concern under 37 CFR. § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e), with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): National Institutes of Health Grant Nos. 1RO1CA74951-01 and 5RO1CA54168-05.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

BOARD OF REGENTS, THE
UNIVERSITY OF TEXAS SYSTEM

By: 

Name: Ray Farabee

Title: Vice Chancellor and
General Counsel

Date: September 9, 1999

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Philip E. Thorpe and Sophia Ran

Serial No.: 09/351,543

Filed: July 12, 1999

For: CANCER TREATMENT METHODS
USING ANTIBODIES TO
AMINOPHOSPHOLIPIDS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: 4001.002200

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Danny L. Williams, Reg. No. 31,892; Terry D. Morgan, Reg. No. 31,181; J. Mike Amerson, Reg. No. 35,426; Kenneth D. Goodman, Reg. No. 30,460; Barbara S. Kitchell, Reg. No. 33,928; Jeffrey A. Pyle, Reg. No. 34,904; Randall C. Furlong, Reg. No. 35,144; Scott F. Diring, Reg. No. 35,119; Jeffrey E. Hundley, Reg. No. 42,676; George J. Oehling, Reg. No. 40,471; Shelley P.M. Fussey, Reg. No. 39,458; David W. Hibler, Reg. No. 41,071; and Mark D. Moore, Reg. No. 42,903,

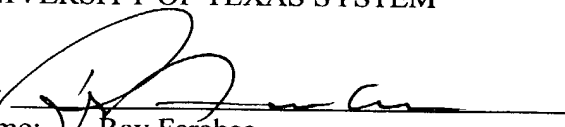
each an attorney or agent of the firm of WILLIAMS, MORGAN & AMERSON, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Shelley P.M. Fussey
WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-7000

ASSIGNEE:
BOARD OF REGENTS, THE
UNIVERSITY OF TEXAS SYSTEM

By: 
Name: Ray Farabee
Title: Vice Chancellor and
General Counsel

Date: September 9, 1999

ASSIGNMENT:

- ☒ Concurrently filed
☐ Previously recorded

Date: _____

Reel: _____

Frames: _____

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

SELL, ASSIGN AND TRANSFER to Board of Regents, The University of Texas System (the "Assignee"), having a place of business at 201 West 7th Street, Austin, Texas 78701, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 09/351,543 which has been filed on July 12, 1999 and is entitled "Cancer Treatment Methods Using Antibodies to Aminophospholipids", such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

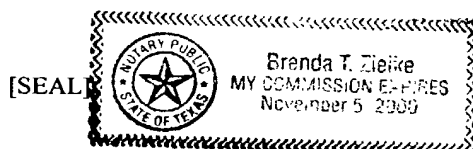
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: Philip E. Thorpe
Name: Philip E. Thorpe

Date: 9/3/99

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, on this 3rd day of September, 1999, personally appeared Philip E. Thorpe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Brenda T. Ziehe
Notary or Consular Officer

Signature: Sophia Ran
Name: Sophia Ran

Date: 9/3/99

STATE OF TEXAS)
COUNTY OF DALLAS) ss.

BEFORE ME, the undersigned authority, on this 3rd day of September, 1999, personally appeared Sophia Ran, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same of her own free will for the purposes and consideration therein expressed.

Brenda T. Zielke
Notary or Consular Officer

[SEAL]

